

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

JAN 12 2018

SC Court of Appeals

APPEAL FROM OCONEE COUNTY  
In The Circuit Court

Honorable R.Lawton McIntosh, Circuit Court Judge

Appeal No.: 2017-002564

Martha "Linda" Lusk, Ph.D.....Appellant

v.

Jamie L. Verderosa.....Respondent

**CONSENT PETITION FOR EXTENSION AND  
TO ACCEPT BRIEF OUT OF TIME**

The undersigned attorney, on behalf of the Appellant, petitions this Court to grant Appellant an extension until January 12, 2018, for Appellant to file her Initial Brief by U.S. Mail and to Accept Appellant's Initial Brief Out of Time for good cause shown.

As grounds for this Motion, Appellant's counsel asserts that she had renal cell carcinoma on her left kidney that was operatively treated last January in 2017. As part of routine follow-up testing in late November, 2017, a new lesion became apparent on counsel's right kidney. The undersigned was then required to undergo additional testing and diagnoses and was out of the office in early December attending to such matters and the Appellant's Brief due date was erroneously calendared based on the date the Notice of Appeal was filed with the Court rather than the date that it was served on Respondent. This error was discovered today and has been addressed immediately.



Accordingly, Appellant requests that for good cause shown this Court accept her Initial Brief out of time and grant an extension until January 12, 2018, for it to be filed by U.S. Mail.

Counsel for Respondent, Jeff C. Kull, Esq. consents to this motion.



---

Candy Kern Fuller (SC Bar No. 11392)  
**Upstate Law Group, LLC**  
200 East Main Street  
Easley, South Carolina 29640  
(864) 855-3114  
(864) 855-3446 (Facsimile)  
Candy@UpstateLawGroup.com

January 11, 2018

**Attorney for Appellant**



*Candy M. Kern-Fuller, Esq.  
Managing Partner*

*Howard E. Suttar, III, Esq.  
Partner*

200 EAST MAIN STREET  
EASLEY, SOUTH CAROLINA 29640

www.UPSTATELAWGROUP.com  
864.855.3114 (ph) • 864.855.3446 (fax)

January 11, 2018

**VIA FACSIMILE AND U.S. MAIL**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals

Attn: Elizabeth  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**

JAN 12 2018

SC Court of Appeals

**Re:** Martha "Linda" Lusk, Ph.D. v. Jami Verderosa  
Appeal No.: 2017-002564

Dear Ms. Kitchens:

Pursuant to SCRAP 240, please find attached the Appellant's Petition for Extension and to Accept Appellant's Brief Out of Time to allow Appellant's Brief to be filed by U.S. Mail tomorrow, January 12, 2018. Counsel for Respondent, Jeffrey C. Kull, Esq., consents to this Motion and is copied on this correspondence. Enclosed is our check for in the amount of \$25.00 for our filing fee.

Please advise as to whether you require anything further in this matter.

With kindest regards,

Candy M. Kern-Fuller, Esq.

cc: Mr. Jeffrey C. Kull, Esq.  
Client

# FAX

## FROM

Joy Goodwin

## TO

SC Court of Appeals

**Phone** (864) 305-4606 \* 102  
**Fax Number** (864) 641-7831

**Phone**  
**Fax Number** +18037341839

**DATE** 01/12/2018

## NOTE

Please find the attached Request for Extension for Rusty Jones.  
Case Number 2017-002257

**RECEIVED**

JAN 12 2018

SC Court of Appeals